

JUN 11 4 2003

1149

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 3, 2003

CRONG

PATENT

Attorney Docket No. 39780-2630P1C25

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Avi Ashkenazi et al.

Application No.: 09 978,564

Filed: October 16, 2001

Title: Secreted and Transmembrane Polypeptides and Nucleic Acids Encoding The Same

PATENT APPLICATION

Art Unit: 1647

Examiner: To Be Assigned

RECEIVED

RECEIVED

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

- ☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
 - ☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
 - ☒ (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --
 - ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; **or**
 - ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
 - B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
 - C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No. 39780-2630P1C25).

Respectfully submitted,

HELLER EHRMAN WHITE & MCAULIFFE LLP

Dated: June 5, 2002

By: [Signature]
Ginger R. Dreger, Reg. No. 33,055

275 Middlefield Road
Menlo Park, CA 94025-3506
(650) 324-7000
Customer No. ~~2542~~ 35489

INFORMATION DISCLOSURE STATEMENT

PTO-1449

ATTY. DOCKET NO.

39780-2630P1C25

SERIAL NO.

09/978,564

APPLICANT Ashkenazi et al.

FILING DATE 10 16 01

GROUP: 1647

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Adams, M.D. et al., "EST20256 Retina II Homo Sapiens cDNA 5' end", *GenBank*, Accession No.: AA318060, EST, 19 April 1997, Publisher: Nature 377 (6547 Suppl), 3-174 (1995)

Marra, M. et al., "ub12f10.r1 Soares Mammary Gland NbMG Mus Musculus cDNA Clone Image: 1366795 5' Similar to TR: P78310 P78310 Cocksackie and Adenovirus Receptor Protein; mRNA sequence", *GenBank*, Accession No.: A1021505, EST, 16 Jun 1998, Unpublished.

Strausberg, R. "ox29e06.x1 Soares total fetus Nb2Hf8 9w Homo Sapiens cDNA Clone Image: 1657762 3', mRNA Sequence, *GenBank*, Accession No.: AI038014, EST 28 Aug 1998, Unpublished.

EXAMINER

DATE CONSIDERED _____

EXAMINER Initial if reference considered, whether or not citation is in conformance with MPI-P 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.